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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,509	08/01/2003	Letian Chen	1033-SS00416	4334
60533 7590 03/18/2008 TOLER LAW GROUP 8500 BLUFFSTONE COVE SUITE A201 AUSTIN, TX 78759				
EXAMINER CUMARASEGARAN, VERN				
ART UNIT 3629		PAPER NUMBER		
MAIL DATE 03/18/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/632,509

Applicant(s)

CHEN ET AL.

Examiner

VERN CUMARASEGARAN

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 refers to "retrieving...persistence layer values." It is unclear what the persistence layer values refer to.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florance et al. (US 2002/0065739 A1) in view of Mukundan et al (US 6,907,451 B1).

As to claim 1, Florance et al show a persistence layer (Fig.1, A16) to store a plurality of properties in a computer-readable storage medium (paragraph 425 "...memory means for storing data...");

a property manager layer (Fig.1, A14) to retrieve from the persistence layer values of those of the properties used by a first software application (Fig.1, A20) and to

provide the values to the first software application at run time (*where run time is considered to be when the computer is running*);

a first property listener to modify values of program variables in the first software application that are dependent on the properties without having to restart the first software application (paragraph 155 "...contact management system directs the data mining applications to conduct continuous polling of the data sources to update the real estate data.");

a user interface layer to accept user input to update at least one of the properties, wherein the persistence layer is responsive to the user interface layer to update the at least one of the properties in the computer-readable storage medium based on the user input (Fig.1, A20), and wherein the user interface layer is to notify the property manager layer that the at least one of the properties has been updated (Fig.1, A56);

Florance et al do not expressly show the property manager layer determining if any of the at least one of the properties that has been updated is used by the first software application, and to notify the first property listener of at least one updated property value used by the first software application based thereon; and wherein the first property listener is to modify at least one program variable in the first software application that is dependent on the at least one updated property value without restarting the first software application.

However, Mukundal et al show property manager layer determining if any of the at least one of the properties that has been updated is used by the first software

application (Fig.41, 4130), and to notify the first property listener of at least one updated property value used by the first software application based thereon (Fig.41, 4140); and wherein the first property listener is to modify at least one program variable in the first software application that is dependent on the at least one updated property value without restarting the first software application (col.42-43 lines 60-9). It would have been obvious to one of ordinary skill in the art to incorporate the feature shown by Mukundal et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As to claim 2, Mukundal et al show a second property listener that can modify variables in the second software application without having to restart the second software application (col.42-43 lines 60-9 *where "marked fields" being used in a plural form would imply that more than one property listener is made available*).

As to claim 3, Mukundal et al show each of the properties being identified by an associated property key, and wherein the property manager layer comprises a lookup table to record, for each of the property keys, a list of property listeners that have registered for the property key (col.41 lines 13-26).

As to claims 4 and 5, Florance et al show first and second software applications comprising a middleware application (Fig.1 *where database application is considered middleware*).

As to claim 6, Florance et al show property manager layer being contained within a common project within middleware (Fig.1).

As to claim 7, Mukundal et al show property manager layer being contained in a client JAVA file (col.4, lines 52-59).

As to claim 8, Mukundal et al show dynamic link library (Fig.13 *where runtime library is considered dynamic link library*).

As to claim 9, Florance et al show persistence layer being used to store information associated with properties (Fig.1).

As to claims 10, 11, 14 and 16, Florance et al show displaying of property information (paragraph 148 *where the type of information is considered non-functional descriptive language and thus is not given patentable weight*).

As to claims 12, 13 and 15, Florance et al show accepting user input to update property information (Fig.1).

As to claim 17, Florance et al show user interface layer comprising a web interface layer (Fig.2).

As to claim 18, it is old and well known in the art to display information in a searchable format. Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the feature of searchable display of information since it is merely a combination of old elements.

As to claims 19 and 20, Florance et al show storing a plurality of properties in a computer-readable storage medium (paragraph 425 "...memory means for storing data..."); retrieving, from the computer-readable storage medium, values of those of the

properties used by a first software application (Fig.1, A20) and to provide the values to the first software application at run time; accepting user input to update at least one of the properties (Fig. 1 A56); updating the at least one of the properties in the computer-readable storage medium based on the user input (paragraph 53). Florance et al do not expressly show based on the user input, determining if any of the at least one of the properties that has been updated is used by the first software application; notifying a first property listener of at least one updated property value used by the first software application; and modifying, by the first property listener, at least one program variable in the first software application that is dependent on the at least one updated property value without restarting the first software application.

However, Mukundal et al show based on the user input, determining if any of the at least one of the properties that has been updated is used by the first software application (Fig.41, 4130); notifying a first property listener of at least one updated property value used by the first software application (Fig.41, 4140); and modifying, by the first property listener, at least one program variable in the first software application that is dependent on the at least one updated property value without restarting the first software application (col.42-43 lines 60-9). It would have been obvious to one of ordinary skill in the art to incorporate the feature shown by Mukundal et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

www.kbb.com System for managing automobile information where car value information is automatically updated when car dealers input information regarding their inventory

Ruben; Richard et al. US 7143048 B1 System and method for managing real estate

Mueller, Michael E. et al. US 20030225599 A1 System and method for data aggregation

Tso, Michael Man-Hak et al. US 20050216572 A1 System for delivery of dynamic content to a client device

Rubin; Robert V. et al. US 5862379 A Visual programming tool for developing software applications

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VERN CUMARASEGARAN whose telephone number is (571)270-3273. The examiner can normally be reached on Monday - Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3629

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Vc

/John G. Weiss/
Supervisory Patent Examiner, Art Unit 3629